

ADRMOP,CONSENT

**U.S. District Court  
California Northern District (Oakland)  
CIVIL DOCKET FOR CASE #: 4:18-cv-05772-DMR**

National Public Radio, Inc. et al v. United States Department of Veterans Affairs  
Assigned to: Magistrate Judge Donna M. Ryu  
Cause: 05:552 Freedom of Information Act

Date Filed: 09/20/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****National Public Radio, Inc.**

represented by **Selina Jessie MacLaren**  
DAVIS WRIGHT TREMAINE LLP  
865 South Figueroa Street  
Suite 2400  
Los Angeles, CA 90017  
213-633-6800  
Email: [selinamaclaren@dwt.com](mailto:selinamaclaren@dwt.com)  
**ATTORNEY TO BE NOTICED**

**Thomas R. Burke**  
Davis Wright Tremaine LLP  
505 Montgomery Street, Suite 800  
San Francisco, CA 94111-6533  
415/276-6500  
Fax: 415/276-6599  
Email: [thomasburke@dwt.com](mailto:thomasburke@dwt.com)  
**ATTORNEY TO BE NOTICED**

**Plaintiff****Eric Westervelt**

represented by **Selina Jessie MacLaren**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Thomas R. Burke**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****United States Department of Veterans Affairs**

represented by **Adrienne Zack**  
United States Attorney's Office  
Northern District of California  
450 Golden Gate Avenue  
P.O. Box 36055  
San Francisco, CA 94102-3495  
415-436-7031  
Fax: 415-436-6748  
Email: [adrienne.zack@usdoj.gov](mailto:adrienne.zack@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
09/20/2018	<u>1</u>	COMPLAINT for Declaratory and Injunctive Relief for Violation of the Freedom of Information Act, 5 U.S.C. section 552 et seq., against United States Department of Veterans Affairs. (Filing fee \$400 receipt number 0971-12697137). Filed by National Public Radio, Inc., Eric Westervelt. (Attachments: # <u>1</u> Exhibit A to FOIA Complaint, #

	<u>2</u>	2 Exhibit B to FOIA Complaint, # <u>3</u> Civil Cover Sheet)(Burke, Thomas) (Filed on 9/20/2018) Modified on 9/21/2018 (jmlS, COURT STAFF). (Entered: 09/20/2018)
09/20/2018	<u>2</u>	Proposed Summons. (Burke, Thomas) (Filed on 9/20/2018) (Entered: 09/20/2018)
09/21/2018	<u>3</u>	<p>Case assigned to Magistrate Judge Donna M. Ryu.</p> <p>Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at <a href="http://cand.uscourts.gov/ecf/caseopening">http://cand.uscourts.gov/ecf/caseopening</a>.</p> <p>Standing orders can be downloaded from the court's web page at <a href="http://www.cand.uscourts.gov/judges">www.cand.uscourts.gov/judges</a>. Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 10/5/2018. (jmlS, COURT STAFF) (Filed on 9/21/2018) (Entered: 09/21/2018)</p>
09/21/2018	<u>4</u>	<b>Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 12/12/2018. Initial Case Management Conference set for 12/19/2018 01:30 PM in Oakland, Courtroom 4, 3rd Floor. (jjbS, COURT STAFF) (Filed on 9/21/2018) (Entered: 09/21/2018)</b>
09/21/2018	<u>5</u>	Summons Issued as to United States Department of Veterans Affairs. (jjbS, COURT STAFF) (Filed on 9/21/2018) (Entered: 09/21/2018)
10/09/2018	<u>6</u>	CLERK'S NOTICE TO PLAINTIFFS Re: Consent or Declination: Plaintiffs shall file a consent or declination to proceed before a magistrate judge. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: <a href="http://cand.uscourts.gov/civilforms">http://cand.uscourts.gov/civilforms</a> . Consent/Declination due by 10/23/2018. (ig, COURT STAFF) (Filed on 10/9/2018) (Entered: 10/09/2018)
10/24/2018	<u>7</u>	NOTICE of Appearance by Adrienne Zack (Zack, Adrienne) (Filed on 10/24/2018) (Entered: 10/24/2018)
10/24/2018	<u>8</u>	ANSWER to <u>1</u> Complaint by United States Department of Veterans Affairs. (Zack, Adrienne) (Filed on 10/24/2018) Modified on 10/25/2018 (jjbS, COURT STAFF). (Entered: 10/24/2018)
10/24/2018	<u>9</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by United States Department of Veterans Affairs.. (Zack, Adrienne) (Filed on 10/24/2018) (Entered: 10/24/2018)
10/30/2018	<u>10</u>	CLERK'S SECOND NOTICE TO PLAINTIFFS Re: Consent or Declination: Plaintiffs shall file a consent or declination to proceed before a magistrate judge. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: <a href="http://cand.uscourts.gov/civilforms">http://cand.uscourts.gov/civilforms</a> . Consent/Declination due by 11/13/2018. (dtmS, COURT STAFF) (Filed on 10/30/2018) (Entered: 10/30/2018)
11/01/2018	<u>11</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by National Public Radio, Inc., Eric Westervelt.. (Burke, Thomas) (Filed on 11/1/2018) (Entered: 11/01/2018)
11/30/2018	<u>12</u>	ADR Clerks Notice re: Non-Compliance with Court Order. The parties have failed to file an ADR Certification as required by the Initial Case Management Scheduling Order. Counsel shall comply promptly with the requirements of ADR L.R. 3-5(b) and shall file the ADR Certification. ( <i>This is a text-only entry generated by the court. There is no document associated with this entry.</i> )(cmf, COURT STAFF) (Filed on 11/30/2018) (Entered: 11/30/2018)
11/30/2018	<u>13</u>	STIPULATION WITH PROPOSED ORDER to Continue Case Management Conference filed by United States Department of Veterans Affairs, National Public Radio, Inc., and Eric Westervelt. (Attachments: # <u>1</u> Declaration of Adrienne Zack)(Zack, Adrienne) (Filed on 11/30/2018) Modified on 12/3/2018 (jjbS, COURT STAFF). (Entered: 11/30/2018)

12/03/2018	<u>14</u>	<b>ORDER by Magistrate Judge Donna M. Ryu granting <u>13</u> Stipulation to continue: Joint Case Management Statement due by 2/13/2019. Initial Case Management Conference continued to 2/20/2019 01:30 PM. (ig, COURT STAFF) (Filed on 12/3/2018)</b> (Entered: 12/03/2018)
01/22/2019	<u>15</u>	ADMINISTRATIVE MOTION to Stay Case Management Conference and Related Deadlines ( <i>Unopposed</i> ) filed by United States Department of Veterans Affairs. Responses due by 1/28/2019. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order)(Zack, Adrienne) (Filed on 1/22/2019) (Entered: 01/22/2019)
01/25/2019	<u>16</u>	<b>ORDER BY MAGISTRATE JUDGE DONNA M. RYU GRANTING DEFENDANT'S <u>15</u> ADMINISTRATIVE MOTION TO STAY CASE MANAGEMENT CONFERENCE AND RELATED DEADLINES. (ig, COURT STAFF) (Filed on 1/25/2019)</b> (Entered: 01/25/2019)
02/13/2019	<u>17</u>	<b>ORDER:</b> The stay of this matter is hereby lifted. By 2/21/2019, the parties shall submit a stipulation regarding a new case management schedule. Signed by Magistrate Judge Donna M. Ryu on 2/13/2019. ( <i>This is a text-only entry generated by the court. There is no document associated with this entry.</i> ) (dmrlc1, COURT STAFF) (Filed on 2/13/2019) (Entered: 02/13/2019)
02/15/2019	<u>18</u>	STIPULATION WITH PROPOSED ORDER to <i>Continue Case Management Conference</i> filed by United States Department of Veterans Affairs, Eric Westervelt, and National Public Radio, Inc. (Attachments: # <u>1</u> Declaration)(Zack, Adrienne) (Filed on 2/15/2019) Modified on 2/19/2019 (jjbS, COURT STAFF). (Entered: 02/15/2019)
02/19/2019	<u>19</u>	<b>ORDER by Magistrate Judge Donna M. Ryu granting <u>18</u> Stipulation to Continue: Joint Case Management Statement due by 4/24/2019. Initial Case Management Conference continued to 5/1/2019 01:30 PM. (ig, COURT STAFF) (Filed on 2/19/2019)</b> (Entered: 02/19/2019)
04/09/2019	<u>20</u>	NOTICE of Appearance by Selina Jessie MacLaren (MacLaren, Selina) (Filed on 4/9/2019) (Entered: 04/09/2019)
04/09/2019	<u>21</u>	STIPULATION WITH PROPOSED ORDER to Advance Case Management Conference< filed by United States Department of Veterans Affairs, Eric Westervelt and National Public Radio, Inc. (Attachments: # <u>1</u> Declaration)(Zack, Adrienne) (Filed on 4/9/2019) Modified on 4/10/2019 (ajsS, COURT STAFF). (Entered: 04/09/2019)
04/10/2019	<u>22</u>	<b>Order by Magistrate Judge Donna M. Ryu granting <u>21</u> Stipulation to Advance Initial Case Management Conference. Initial Case Management Conference set for 4/17/2019 at 1:30 PM in Oakland, Courtroom 4, 3rd Floor. The parties' joint Case Management Statement is due by 4/11/2019. (<i>This is a text-only entry generated by the court. There is no document associated with this entry.</i>) (dmrlc1, COURT STAFF) (Filed on 4/10/2019)</b> (Entered: 04/10/2019)
04/11/2019	<u>23</u>	JOINT CASE MANAGEMENT STATEMENT filed by United States Department of Veterans Affairs, Eric Westervelt and National Public Radio, Inc. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Zack, Adrienne) (Filed on 4/11/2019) Modified on 4/12/2019 (ajsS, COURT STAFF). (Entered: 04/11/2019)
04/11/2019	<u>24</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Zack, Adrienne) (Filed on 4/11/2019) (Entered: 04/11/2019)